

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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U.S. DISTRICT COURT, CHARLESTON, SC

2012 MAY 10 A 9:44

Philip Woods,

Petitioner,

v.

Warden of Lee County Correctional
Institution,

Respondent.

Civil Action No. 0:11-2938-SB

ORDER

This matter is before the Court upon the Petitioner's pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

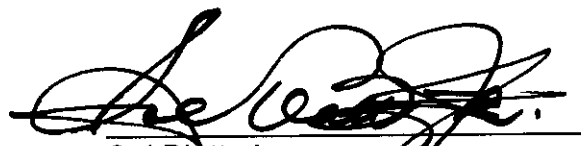
On April 17, 2012, Magistrate Judge Paige J. Gossett issued a report and recommendation ("R&R") analyzing the issues and recommending that the Court grant the Respondent's motion for summary judgment based on the untimely filing of Woods' section 2254 petition. Attached to the R&R was a notice advising the parties of the right to file specific, written objections to the R&R within fourteen days of the date of service of the R&R. To date, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Petitioner did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. After review, the Court agrees with the Magistrate Judge that Woods' petition was

not timely filed and is therefore barred by 28 U.S.C. § 2244(d). Accordingly, the Court hereby adopts the R&R as the Order of this Court, and it is

ORDERED that the Respondent's motion for summary judgment (Entry 12) is granted, and Woods' petition is dismissed as untimely.

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

May 9, 2012
Charleston, South Carolina

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